

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1429, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 1, line 2, after "Sec. 8." insert "**(a) This section does not**
- 2           **apply to a lien on a Medicaid recipient's real property under**
- 3           **IC 12-15-8.5.**
- 4           **(b) This section applies only to a lien on a recovery under**
- 5           **section 1 or section 2 of this chapter.**
- 6           **(c)".**
- 7           Page 1, after line 9, begin a new paragraph and insert:
- 8           "SECTION 2. IC 12-15-8.5-13 IS ADDED TO THE INDIANA
- 9           CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 10          [EFFECTIVE JULY 1, 2007]: **Sec. 13. (a) The office may contract**
- 11          **with an attorney to obtain or enforce a lien under this chapter.**
- 12          **(b) If the office contracts with an attorney under this section, the**
- 13          **attorney's fees may not exceed:**
- 14               **(1) seven and five-tenths percent (7.5%) of the office's**
- 15               **recovery under the lien if the proceeding to obtain and**

- 1       **enforce the lien is not contested; or**
  - 2               **(2) ten percent (10%) of the office's recovery under the lien if**
  - 3               **the proceeding to obtain and enforce the lien is contested.".**
- (Reference is to HB 1429 as printed February 20, 2007.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 6, Nays 0.

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**Senator Bray, Chairperson**